

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Tieyu Zheng	Examiner:	Michael P. Mooney
Serial No.:	10/732,929	Group Art Unit:	2883
Filed:	December 11, 2003	Docket:	884.G22US1
Title:	METHOD AND APPARATUS FOR MANUFACTURING A TRANSISTOR-OUTLINE (TO) CAN HAVING A CERAMIC HEADER		

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**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This declaration is submitted under 37 C.F.R. § 1.131 in response to the final rejection of U.S. Patent Application Serial Number 10/732,929 (the "Application"), assigned to Intel Corporation to establish the inapplicability of using the reference Narayan et al., U.S. Pat. No. 6,860,652, entitled "Package for Housing an Optoelectronic Assembly, filed May 23, 2003 (the '652 Patent), to reject the claims of the instant application under 35 USC § 102(e). U.S. Patent Application Serial No. 10/732,929 was filed December 11, 2003.

I, Tieyu Zheng, do hereby declare:

1. I am currently an employee of Intel Corporation, the assignee of the Application and the '652 Patent, and have been an employee since at least as early as May 23, 2003.
2. I am the inventor of the claims of the Application.
3. I am a joint inventor of claims in the '652 Patent.
4. The subject matter of the Application was invented prior to May 23, 2003, the filing date of the '652 Patent. Therefore, the subject matter of the Application was not described in the '652 Patent before the invention by the Applicant, and the '652 patent is not prior art under 35 U.S.C. § 102(e).

DECLARATION UNDER 37 C.F.R. § 1.131

Serial Number: 10/732,929

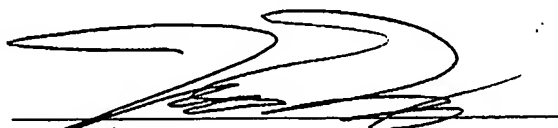
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5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Date: 11/02/2006  
Tieyu Zheng